

EXHIBIT C

From: Cole Richter <richter@ls3ip.com>
Sent: Tuesday, April 18, 2023 12:46 PM
To: Jocelyn Ma
Cc: Sonos-NDCA06754-service; Moulton, Libby; QE-Sonos3; Kolker, Joseph
Subject: RE: Sonos v. Google [NDCA2] -- Pretrial order and jury materials exchange

This message originated from outside your organization

Jocelyn,

Thanks for the message. To confirm, Sonos stipulates and plans to offer a consent judgment that claim 25 stands invalid for the reasons set forth in the Court's showdown summary judgment order (Dkt. 316). To reduce the burden on the court and the parties, Sonos withdraws from assertion in this case claims 18 and 19 and will plan to also offer a stipulated consent judgment that the validity of claims 18 and 19 rise and fall with the validity of claim 13, and thus claims 18 and 19 would stand invalid for the reasons set forth in the Court's showdown summary judgment order (Dkt. 316). In this respect, there aren't any remaining triable issues on claims 18, 19, 25.

In view of the above, please let us know if Google agrees that trial on the '615 patent is not necessary at this time. We plan to raise this with the Court by COB today if Google insists on trying the '615 patent.

Regarding the jury instructions, we note that the redlines to the jury instructions you provided went well beyond the scope of what we agreed. In your conversation with Libby, Google agreed to remove references to its mooted contract and conversion claims. We did not agree to any other changes. But your redlines inserted new and irrelevant material well beyond the "derivation" defense you mentioned in your email. As discussed when meeting and conferring on the pretrial schedule, Google needed to provide its edits to the jury instructions with sufficient time for Sonos to prepare its objections and draft its legal memorandum on the jury instructions. Instead of complying with the parties' agreed April 12 date, you provided entirely new redlines on April 17. We object to these late-disclosed edits, not limited to the derivation defense. We also note that the "derivation" defense was not mentioned in any expert report, pleading, or discovery response, and wasn't even in Google's initial jury instructions redline served 4/12, and thus we object to this instruction on this separate, additional ground.

Best,
Cole

From: Jocelyn Ma <jocelynma@quinnemanuel.com>
Sent: Tuesday, April 18, 2023 1:38 AM
To: Cole Richter <richter@ls3ip.com>
Cc: Sonos-NDCA06754-service <Sonos-NDCA06754-service@orrick.com>; Moulton, Libby <emoulton@orrick.com>; QE-Sonos3 <qe-sonos3@quinnemanuel.com>; Kolker, Joseph <jkolker@orrick.com>
Subject: RE: Sonos v. Google [NDCA2] -- Pretrial order and jury materials exchange

Cole,

Thanks for the call earlier today. After considering your proposal, Google does not agree to withdraw claims 18, 19, or 25 of the '615 patent and plans to proceed to trial on those claims. We have accordingly retained references to the '615 patent in our revised redlines to the jury instructions, which are attached. Please note we have also included an additional instruction regarding derivation.

Please let us know if it would be helpful to meet and confer regarding these jury instructions.

Best,
Jocelyn

From: Jocelyn Ma
Sent: Monday, April 17, 2023 10:42 AM
To: Cole Richter <richter@ls3ip.com>
Cc: Sonos-NDCA06754-service <Sonos-NDCA06754-service@orrick.com>; Moulton, Libby <emoulton@orrick.com>; QE-Sonos3 <qe-sonos3@quinnemanuel.com>; Kolker, Joseph <jkolker@orrick.com>
Subject: RE: Sonos v. Google [NDCA2] -- Pretrial order and jury materials exchange

Cole – sure, I'm available now if you want to call me at 650-380-9467.

Jocelyn

From: Cole Richter <richter@ls3ip.com>
Sent: Monday, April 17, 2023 9:53 AM
To: Jocelyn Ma <jocelynma@quinnemanuel.com>
Cc: Sonos-NDCA06754-service <Sonos-NDCA06754-service@orrick.com>; Moulton, Libby <emoulton@orrick.com>; QE-Sonos3 <qe-sonos3@quinnemanuel.com>; Kolker, Joseph <jkolker@orrick.com>
Subject: RE: Sonos v. Google [NDCA2] -- Pretrial order and jury materials exchange

[EXTERNAL EMAIL from richter@ls3ip.com]

Jocelyn,

Are you available for a short call today regarding the '615 patent?

Best,
Cole

From: Jocelyn Ma <jocelynma@quinnemanuel.com>
Sent: Friday, April 14, 2023 11:04 PM
To: Moulton, Libby <emoulton@orrick.com>; QE-Sonos3 <qe-sonos3@quinnemanuel.com>
Cc: Sonos-NDCA06754-service <Sonos-NDCA06754-service@orrick.com>
Subject: RE: Sonos v. Google [NDCA2] -- Pretrial order and jury materials exchange

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Counsel,

Please see attached for Google's redlines to the proposed pretrial order, verdict form, voir dire, and statement of the case. As previously agreed-upon, the parties will not be submitting the jury questionnaire.

As discussed earlier today, Google will send a revised set of redlines for the jury instructions by Monday.

Best,
Jocelyn

From: Jocelyn Ma
Sent: Wednesday, April 12, 2023 11:26 PM
To: Moulton, Libby <emoulton@orrick.com>; QE-Sonos3 <qe-sonos3@quinnemanuel.com>
Cc: Sonos-NDCA06754-service <Sonos-NDCA06754-service@orrick.com>
Subject: RE: Sonos v. Google [NDCA2] -- Pretrial order and jury materials exchange

Counsel,

Please see attached for Google's redlines to the proposed jury instructions. We are available to meet and confer if you believe it would be helpful in narrowing the issues prior to the parties' exchange of legal memoranda.

Best,
Jocelyn

From: Moulton, Libby <emoulton@orrick.com>
Sent: Monday, April 3, 2023 9:27 PM
To: QE-Sonos3 <qe-sonos3@quinnemanuel.com>
Cc: Sonos-NDCA06754-service <Sonos-NDCA06754-service@orrick.com>
Subject: Sonos v. Google [NDCA2] -- Pretrial order and jury materials exchange

[EXTERNAL EMAIL from emoulton@orrick.com]

Counsel,

Attached are drafts of:

- Proposed pretrial order
- Proposed jury instructions
- Proposed verdict form
- Proposed voir dire
- Proposed jury questionnaire
- Proposed neutral statement of the case for voir dire

Per our stipulation and the Court's order, Dkt. 547, Google will serve redlines of the proposed jury instructions by April 12, 2023, and will serve redlines of the remaining attached documents by April 14, 2023. We reserve the right to further revise these documents. We will then work together to prepare these documents for filing on

April 26, 2023. As we discussed, that means that we need to have completed e-filing of these documents by 10 a.m. on April 26th to ensure that we can get ECF-stamped paper copies compiled in binders and delivered to the courthouse that day. We understand that Google will separately handle hard-copy delivery of the items described in Ms. Ma's March 13, 2023 email ("(1) Google's jury instruction legal memoranda, (2) Google's trial briefs (if any), and (3) the packets for Google's MILs (motions & oppositions)").


I am also attaching Sonos's witness list. Sonos's exhibit list will be served later this evening.

Thank you,

Libby Moulton

Partner
Supreme Court and Appellate

Pronouns: she/her/hers

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